

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2005:

Present

Vote

James S. Burgett, Chairman
Walter C. Zaremba, Vice Chairman
Sheila S. Noll
Kenneth L. Bowman
Thomas G. Shepperd, Jr.

On motion of _____, which carried ____, the following ordinance was adopted:

AN ORDINANCE AMENDING YORK COUNTY CODE § 21-92, RELATIVE TO THE TRANSIENT OCCUPANCY TAX TO MODIFY THE DEFINITION OF LODGING TO INCORPORATE LANGUAGE ADDED TO THE CODE OF VIRGINIA BY THE 2005 GENERAL ASSEMBLY, SENATE BILL 973.

WHEREAS, the 2005 General Assembly adopted Senate Bill 793, enacted as Chapter 20 of the 2005 Acts of the Virginia General Assembly, which adds a new § 58.1-3826 to the Code of Virginia clarifying that a room or space which may be the subject of the transient occupancy tax must be one which is suitable or intended for occupancy by transients for dwelling, lodging or sleeping purposes; and

WHEREAS, this Board deems it expedient to suitably modify the definition of "Lodging" in County code § 21-92 to incorporate language added to the Code of Virginia by the adoption of Senate Bill 793.

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors, this ____ day of _____, 2005, that section 21-92, York County Code, be and it is hereby amended to read and provide as follows, such amendment to become effective as of July 1, 2005:

Sec. 21-92. Definitions.

- (a) For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Commissioner. Commissioner of the Revenue of the County of York, Virginia, or any duly authorized deputies or agents.

Hotel. Any public or private hotel, inn, apartment hotel, hostelry, tourist home or house, motel, rooming house, travel campground or tourist camp or other lodging place within the county offering lodging, and the owner and the operator thereof, who for compensation, furnishes lodging to any transient.

Lodging. Any space or room suitable or intended for occupancy by transients for dwelling, lodging, or sleeping purposes, and furnished to any transient by a hotel as herein defined.

Room rental. The total charge made by any such hotel for lodging and/or space furnished any such transient. If the charge made by such hotel to such transient includes any charge for services or accommodations in addition to that of lodging and/or the use of space, then such portion of the total charge as represents only room and/or space rental shall be distinctly set out and billed to such transient by such hotel as a separate item.

Transient. Any person who, for any period of not more than thirty (30) consecutive days, either at his own expense or at the expense of another, obtains lodging in any hotel as hereinabove defined, for which lodging a charge is made.

Treasurer. The Treasurer of the County of York, Virginia, or any duly authorized deputies or agents.